



## A Note from the Branch Chief

### Realtor Partnership

In 2021, IDEM's Institutional Control Group (ICG) plans to partner with realtors to bring public awareness to properties restricted with Environmental Restrictive Covenants (ERCs). An ERC is an institutional control used to provide conditional closure for contaminated sites by attaching land-use restrictions to property deeds.

It's important for new owners of restricted properties to understand that ERCs are attached to a property deed until IDEM determines that the land-use restrictions are no longer necessary. Requests for an ERC modification or termination must come from the current property owner and there is a cost recovery component. Maintenance of land-use restrictions and obligations are the responsibility of the current property owner.

Please contact Lynette Schrowe at [lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov) or 317-234-8622 for more information.

I am in my 20th year as Branch Chief of the Remediation Services Branch. There have been many changes during those 20 years. We shifted to a risk-based approach to site remediation. We began closing sites using institutional controls. The State recognized the challenge of Brownfields to property redevelopment and implemented successful actions to mitigate environmental risks and prospective owner liability. We started looking for and mitigating vapor intrusion. One of the biggest developments is the emergence of the dry cleaner chlorinated solvent site. But wait, we're not done yet!

Before the end of this year, we hope to present new developments in how we remediate and close sites. A Community Involvement Plan (CIP) is very close to public notice as a Non-Rule Policy Document. The CIP offers a phased approach to engaging our stakeholders in the cleanup process. It has been written in a way that makes it applicable to VRP, SCU, LUST, and RCRA CA. Look for it soon.

The long-awaited Long Term Stewardship Plan has been drafted and is currently available for use as a pilot approach to closure. It is not required. It is an option that you may choose if appropriate for certain sites. Please contact Lynette Schrowe at 317-234-8622 or [lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov) for more information.

Also, look for the rollout of our new Annual Report. Beginning in late 2020, each active remediation site in SCU and VRP will receive an Annual Report template. The template will be no more than two pages and will prompt responsible parties to inform us about what was accomplished in the last year and what is planned for the coming year. The report will be due in January of each year. It will be a big-picture assessment of site progress. What work was performed or is planned for the field? What reports were submitted? The Annual Report will help Project Managers and stakeholders see progress at a glance. If there is nothing to report then we need to have a talk. Watch for it!

And finally, I am retiring. My last day at IDEM is November 2. At some time during the last 20 years as Branch Chief, I am sure our paths have crossed. I have found all of these personal and professional associations to be greatly fulfilling. While I will miss you all and the work we do, I have the prospect of many wonderful years ahead with my wife Michele, our children and grands, and the occasional nap. Thank you for making my job interesting, challenging, fulfilling, and fun!

*Bruce Oertel, Remediation Services Branch Chief*

## Major Change to Independent Closure Process

On August 8, 2020, the [Independent Closure Process](#) (ICP) transferred from the Remediation Services Branch's State Cleanup Program to the Petroleum Branch's Petroleum Remediation Section (PRS). The ICP is a self-certification process that allows responsible parties (RP) to complete investigation and remediation of low and medium priority releases of petroleum and/or petroleum constituents with limited IDEM oversight.

PRS's review of ICP projects has two main advantages. First, there is cost savings for both RPs and IDEM by allowing for more time-efficient closure for RPs and by reserving IDEM staff resources for higher-priority sites. Second, after completing the ICP requirements, the RP receives a No Further Action Letter, which provides a greater level of comfort to lenders compared to a Site Completion Letter that was issued by the State Cleanup Program.

To be eligible for ICP, a low- or medium-priority release must be confined to the site/adjacent right of way and a groundwater plume must be stable or decreasing. An Initial Investigation report must be submitted 60 days after release discovery and IDEM must be notified immediately if site conditions change and the site should be reprioritized. Sites that do not meet the ICP requirements will be assigned a PRS project manager.

For more information on ICP, please contact Robyn Raftis at [Rraftis@idem.in.gov](mailto:Rraftis@idem.in.gov), 317-234-8119 or review the [Independent Closure Process Nonrule Policy Document](#).

## DID YOU KNOW?

### Submit Voluntary Remediation Program Documents Electronically

While IDEM's Office of Land Quality continues to work toward electronic document submittal (**e-Submission**), Remediation Services Branch's Voluntary Remediation Program (VRP) has been using electronic submittal for most documents since last year. Documents submitted to VRP through [VRPdocs@idem.in.gov](mailto:VRPdocs@idem.in.gov) are routed to staff and uploaded to the Virtual File Cabinet (VFC) for secure storage and access.

Consultants working with VRP should be sending documents such as monitoring reports, voluntary remediation investigation plans, further site investigation plans, and completion reports via the [VRPdocs@idem.in.gov](mailto:VRPdocs@idem.in.gov) email address with a cc to the IDEM VRP Project Manager for the site (documents <=25 MB) or via invitation to the VRP Submittals SharePoint site (documents >25 MB).

The only exception to VRP's electronic submittal is the Remediation Work Plan (RWP). Two (2) bound copies of the report, along with CD/DVDs containing the complete report and associated data must still be submitted to VRP in compliance with current statutory Public Notice requirements for RWPs.

### HELLOS and GOODBYES

Vicki Penny joined the Remediation Services Branch as an Administrative Assistant in March 2020, previously working with FSSA in Anderson. Originally from Connersville, she has lived in Oregon and Alaska where she worked for the Alaska State Troopers. Vicki brings her helpful down-to-earth calmness to RSB and can be reached at [VLPenny@idem.in.gov](mailto:VLPenny@idem.in.gov) or 317-233-7696.

Specifically, IC 13-25-5-11 requires a physical copy of the site's RWP be made available at the local library. All other documents, barring specific requests from VRP project managers, can be submitted electronically. Questions regarding electronic document submittals can be directed to your VRP project manager.